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REMARKS

Initially, Applicant would like to inform the Examiner that the undersigned attorney has taken over prosecution of the subject application and that a revocation of power of attorney and a new power of attorney will be submitted shortly. Thus, with regard to this Amendment "A", the undersigned attorney is acting under 37 CFR §1.34.

Prior to this Amendment "A", claims 1-48 were pending in the present application. In a previous communication, the Examiner identified three patentably distinct species of the claimed invention, namely species I (claims 1-25); species II (claims 26-35); and species III (claims 36-48). In a February 12, 2005 telephone conversation, Applicant's representative, Mike Rickin, elected species I for prosecution. Applicant hereby affirms this election. In accordance with this election, Applicant has canceled claims 26-48 and reserves the right to file divisional applications for the canceled claims. Applicant has also canceled claim 25, amended claims 1-4 and claims 13-18 and added new claims 49 and 50. The amendments to the claims and new claims 49 and 50 are fully supported by the specification. Reconsideration of the application in its current format is hereby respectfully requested.

In the Office action, the Examiner rejected claims 1-8, 11-14 and 17-20 and 23-25 under 35 U.S.C. §102(a) as being anticipated by U.S. Patent No. 6,405,135 to Smith et al. Applicant traverses this rejection for at least the reasons set forth below.

The Smith et al. patent discloses a system and method for predicting areas

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where lightning strikes are likely to occur by evaluating radar and temperature data.

Several passages in the Smith et al. patent reference power utilities. For example, in column 3, lines 1925, the Smith et al. patent states (with emphasis added):

"In one variation, the threat data is displayed on a geographic map using a color-coded scheme to identify areas of lightning threat. Additionally, the location of *power lines*, factories, and other structures can be superimposed on the map such that customers of the service can quickly identify areas of predicted damage based on the threat."

In addition, in column 4, lines 25-31, the Smith et al. patent states:

"Customers willing to pay for accurate lightning prediction services can store the location of their vulnerable structures in the database and have them displayed in visual relation to the predicted lightning threat areas, thus allowing them to take evasive or corrective action (e.g., shutting down a factory, delaying a train, or *activating electric utility repair crews*)."

Thus, at best, the Smith et al. patent discloses storing the locations of vulnerable structures, displaying the structures on a geographic map showing areas of lightning threat and activating electric utility repair crews. The Smith et al. patent fails to disclose providing information about the layout of a power circuit and the interconnectivity of power circuit components, or providing weather susceptibility information for different weather conditions. Accordingly, even when interpreting the disclosure of the Smith et al. patent in the broad manner permitted by MPEP §2111, the disclosure, *inter alia*, fails to show or suggest (with emphasis added):

"an interconnection model for an electric utility power circuit that comprises power circuit components, the interconnection model including information *about the layout of the power circuit and the interconnectivity of the power circuit*

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components", as recited in independent claims 1 and 14; and

"weather susceptibility information for the power circuit components for different weather conditions, wherein the weather susceptibility information for the power circuit components is different for different weather conditions", as recited in independent claims 1 and 14.

Moreover, the Smith et al. patent fails to show or suggest a "computing engine" which is "configured to determine a predicted maintenance parameter for the power circuit based on the interconnection model, the weather susceptibility information, and the weather prediction", as is presently recited in independent claim 14.

For at least the foregoing reasons, Applicant submits that the Smith et al. patent fails to show or suggest independent claims 1 and 14 and, thus, dependent claims 2-13 and 15-24.

With regard to at least dependent claims 4, 5, 7, 11, 12, 18, 19, 23 and 24, Applicant respectfully submits that the Smith et al. patent fails to show or suggest what is attributed to it by the Examiner.

The Examiner has also rejected claims 9 and 21 under 35 U.S.C. §103 (a) as being unpatentable over the Smith et al. patent in view of U.S. Patent Application Publication No. 2002/00354497 to Mazereeuw et al., which discloses a method for monitoring a utility substation. The Mazereeuw et al. application does not disclose providing weather susceptibility information or predicting a maintenance parameter, let alone doing so with weather susceptibility information. Thus, it is clear the Mazereeuw et

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al. application fails to cure the deficiencies of the Smith et al. patent with regard to independent claims 1 and 14 and, thus, dependent claims 9 and 21. Accordingly, Applicant submits that independent claims 1 and 14 and, thus, dependent claims 9 and 21 are patentable over the Smith et al. patent and the Mazereeuw et al. application, singly or in combination.

The Examiner has also rejected claims 10 and 22 under 35 U.S.C. §103 (a) as being unpatentable over the Smith et al. patent in view of U.S. Patent Application Publication No. 2004/0158772 to Pan et al., which is owned by the assignee of the subject application, namely ABB Research Ltd. Copies of the assignment records for both the subject application and the Pan et al. application are attached hereto. Since the Pan et al. application and the subject application are both owned by the same entity, Applicant submits that pursuant to the express language of 35 U.S.C. §103 (c), the Pan et al. application is not prior art to the subject application. Accordingly, Applicant submits that the rejection based on the Pan et al. application is improper and should be withdrawn.

Based on the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

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If there are any additional fees resulting from this communication, please
charge same to our Deposit Account No. 050877.

Respectfully submitted,

ABB Research Ltd.

By:


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August 8, 2005
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Patent Assignment Abstract of Title

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Total Assignments: 2

Patent #: NONE

Issue Dt:

Application #: 10744743 Filing Dt: 12/23/2003

Publication #: US20040158772 Pub Dt: 08/12/2004

Inventors: Jiuping Pan, Reynaldo Nuqui, Le Tang

Title: VALUE-BASED TRANSMISSION ASSET MAINTENANCE MANAGEMENT OF ELECTRIC POWER NETWORKS

Assignment: 1

Reel/Frame: 014850/0077

Recorded: 12/23/2003

Pages: 5

Conveyance: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

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Exec Dt: 12/10/2003

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Assignment: 2

Reel/Frame: 014292/0013

Recorded: 01/29/2004

Pages: 4

Conveyance: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

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Total Assignments: 2

Patent #: NONE **Issue Dt:** **Application #:** 10700080 **Filing Dt:** 11/03/2003
Publication #: US20050096856 **Pub Dt:** 05/05/2005
Inventors: David Lubkeman, Danny E. Julian, Martin Bass, J. Rafael Ochoa
Title: Electric utility storm outage management

Assignment: 1

Reel/Frame: 014430/0876 **Recorded:** 03/15/2004 **Pages:** 6

Conveyance: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

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Assignment: 2

Reel/Frame: 014430/0861 **Recorded:** 03/15/2004 **Pages:** 4

Conveyance: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

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